

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DATA CARRIERS, LLC,

Plaintiff,

v.

OVERSTOCK.COM, INC.,

Defendant.

C.A. No. 12-945-LPS

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE  
AS TO DEFENDANT OVERSTOCK.COM, INC.**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Data Carriers, LLC and Defendant Overstock.com, Inc., pursuant to Fed. R. Civ. P. 41(a)(2) and subject to the approval of the Court, that all claims between them in this action be, and upon approval are, dismissed WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

BAYARD, P.A.

/s/ Stephen B. Brauerman  
Richard D. Kirk (rk0922)  
Stephen B. Brauerman (sb4952)  
Vanessa R. Tiradentes (vt5398)  
Sara E. Bussiere (sb5725)  
222 Delaware Avenue, Suite 900  
Wilmington, DE 19899  
(302) 655-5000  
rkirk@bayardlaw.com  
sbrauerman@bayardlaw.com  
vtiradentes@bayardlaw.com  
sbussiere@bayardlaw.com

*Attorneys for Plaintiff Data Carriers, LLC*

YOUNG CONAWAY STARGATT &  
TAYLOR, LLP

/s/ Karen L. Pascale  
Karen L. Pascale (No. 2903)  
James L. Higgins (No. 5021)  
Rodney Square  
1000 North King Street  
Wilmington, Delaware 19801  
(302) 571-6600  
kpascale@ycst.com  
jhiggins@ycst.com

*Attorneys for Defendant Overstock.com, Inc.*

Dated: August 19, 2014

IT IS SO ORDERED this 20<sup>th</sup> day of August, 2014.

Leonard P. Stark  
The Honorable Leonard P. Stark  
Chief United States District Court Judge